# DECISION NOTICE
And
# FINDING OF NO SIGNIFICANT IMPACT

USDA - FOREST SERVICE

**Teton Canyon Hazardous Fuels Reduction Project**
Caribou-Targhee National Forest
Teton Basin Ranger District
Teton County, Wyoming
Deciding Official: Jay Pence, District Ranger

## Decision and Reasons for the Decision

**Background**

I encourage you to read the background information in the Teton Canyon Hazardous Fuels Reduction Project Environmental Assessment (EA) for background on the National Fire Plan, National Cohesive Wildland Fire Management Strategy, Healthy Forests Restoration Act and Teton County Wyoming's Community Wildfire Protection Plan and how those relate to this project.

My staff and I have been on numerous wildfires in vegetation types similar to Teton Canyon. We have participated in the decisions and implementation actions associated with those wildfire events. As a Forest Service line officer I have experienced the stress and concern associated with committing firefighters to suppression activities, hoping that my primary goal of firefighter and public safety is fully successful; that I am not committing those resources to a fire that injures someone or worse in an effort to implement goals and expectations related to protection of infrastructures, smoke management, political pressure or public pressure.

In August of 2017, I made the decision to suppress a fire near the sheep bridge in Teton Canyon. My experience and knowledge of the dynamic nature of natural processes leads me to believe my decision to suppress that fire may have only delayed an inevitable future event, possibly with more extreme fuel loading and burning conditions.

There is an opportunity to reduce fuel loading in Teton Canyon in a strategic manner that will reduce firefighter and public risk, and allow potentially expand the Forest Service's ability to allow a more natural fire regime in the larger area.

The Teton Canyon Hazardous Fuels reduction project EA documents the potential environmental effects of the proposed action that was developed by a local collaborative group and further modified by the agencies interdisciplinary team. The EA compares the proposed action to the no action alternative.

## Public Involvement

The Teton Canyon Hazardous Fuels Reduction Project has been developed in collaboration with local land management agencies, land trust and conservation organizations, local landowners and public recreation users. The County Commissions in Teton County, ID and Teton County, WY asked the Teton Area Advisory Forum (TAAF) to convene a series of public meetings. The purpose of the meetings was to gather information about concerns residents and recreationists might have about a fuels reduction project within Teton Canyon.

The public forums were held over a period of ten months, between May 2013 and March 2014. TAAF served as the convener utilizing services of University of Wyoming Extension to facilitate the community forums. The forums were organized around a problem-solving process that enabled participants to define their values, concerns, and objectives related to forest management in the canyon, learn about and understand the problems to be solved, generate alternative solutions, and then evaluate those alternatives. Five sessions and a field tour in the canyon were organized by TAAF. The process enabled the community to identify the values it associates with Teton Canyon and their concerns related to fuel reduction and fire in the canyon.

The collaborative group revealed that there is general support for applying a combination of treatments for fuels reduction and wildlife habitat enhancement including prescribed burning, mechanical treatments and small group selections in Teton Canyon.

Formal public scoping was mailed or emailed on August 6, 2014 to 144 individuals, organizations, government agencies soliciting comments for the proposed project. Public comments were also solicited through a legal notice published in the Post Register in Idaho Falls, Idaho on August 10, 2014.

The 30-day comment period was conducted concurrently with scoping requesting early and timely comments on the proposed action. Eight responses were received.

## Decision

It is my decision to implement the majority of the proposed action (Alternative 2) as outlined in the Environmental Assessment and further clarified in the paragraphs below. I have added a map to the last page of this document to help visually identify the approximate location of the approved fuels reduction activities.

There are four parts to my decision outlining different treatments: #1. Mechanical treatments, #2. prescribed fire treatments with modifications to unit 3, and #3. Slashing treatments followed by prescribed fire. My decision will drop the Group Selections (spruce treatment) from implementation at this time.

## 1. Mechanical Treatments

I approve the following mechanical treatments as outlined in Table 1 and further described in the description and methods following the table.

**(Table 1) Mechanical Treatments:**

| Treatment Name | Mechanical Treatment Type | Acres |
|---|---|---|
| Alta Water Supply | Cut/Pile/Pile Burn/ Chip/Firewood | 14 |
| Treasure Mt. Boy Scout Camp | Cut/Pile/Pile Burn/Chip | 89 |
| Aspen Stands | Cut/Pile/Pile Burn | 64 |
| Teton Canyon Road Corridor – South | Cut/Pile/Pile Burn and Firewood | 16 |
| Roadless | Cut/Pile/Pile Burn | 76 |
| **Total Mechanical Treatment Acres** | | **259** |

**General direction for Mechanical Treatment Activities:**

**Description**: These treatments are designed to reduce stand density, understory ladder fuels, and the proportion of highly flammable shade tolerant tree species. The silvicultural treatment will generally retain the larger and more fire resistant seral species aspen and Douglas-fir, as well as increase or maintain crown separation and tree spacing to reduce the future risk of crown fire events. Aspen and Douglas-fir will be favored over subalpine fir and lodgepole pine for retention in the treatment areas.

**Method:** The prescription will include the priority for removal of the smaller and more suppressed or crowded trees in the stands. Species such as healthy dominant Douglas-fir and aspen will be favored for retention. Thinned trees may be removed and sold as forest products (such as lumber, firewood, post and poles, or wood chips) where access and economics permit. See EA Appendix B for representative before and after photo of various mechanical treatments.

Slash resulting from all treatments will be chipped and removed (small quantities may be left on-site for erosion control & trail maintenance), masticated (crushed), piled and burned or used to carry fire as part of a larger broadcast burn.

**More specific direction for Mechanical Treatment Activities on specific units:**

*Alta Water Supply – 14 Acres*

**Objective:** Fuels reduction to protect the Alta water supply from sediment movement and/or water quality impacts from a wildfire.

**Description:** Work collaboratively with the Alta Water Supply permittees to mark conifer trees to be removed.

- Selectively cut trees up to 16" Diameter at Breast Height (DBH) with the majority of trees $\leq$ 12" DBH, and pile material by hand. Piles may cure for one year prior to being burned. Pile burning would consist of limbs/branches and remaining debris.

- Selectively cut trees up to 16" DBH with the majority of trees ≤ 12"DBH and chip material where appropriate.
- Allow for public firewood collection as appropriate in proximity to existing forest roads.

***Treasure Mountain Boy Scout Camp (TMSC) – 89 Acres***

**Objective:** Fuels reduction to improve camp safety and help protect TMSC from wildfire

**Description:**

- Selectively cut trees up to 8" DBH and pile material by hand where appropriate. Piles will cure prior to being burned.
- Selectively cut trees to reduce fuels and chip residual material where appropriate.
- Pile or chip dead and down up to 12" DBH.
- Implement TMSC Master Development Plan projects that improve parking, utilities and transportation in camp to improve safety of camp.

***Conifer Encroached Aspen Stands – West of TMSC – 64 Acres (8 separate units)***

**Objective:** Fuels reduction to protect TMSC and private property from wildfire.

**Description:**

- Selectively cut conifer trees by hand within aspen stands up to 12" DBH and pile cut material. Piles may cure for one year prior to being burned.
- Selectively cut conifer trees by hand within aspen stands up to 12" DBH and leave slashed material on the ground for a small broadcast burn.

***Teton Canyon Road Corridor – South – 16 Acres***

**Objective:** Fuels reduction for access and egress of recreationalists and firefighters in the event of a wildfire.

**Description:**

- Selectively cut conifer trees by hand within aspen stands up to 16" DBH with the majority of trees ≤ 12" DBH, and pile cut material. Piles will be allowed to cure prior to being burned.
- In areas with road access allow for public firewood collection.

***Private Property – Roadless* – 76 Acres**

**Objective:** Fuels reduction to protect private property.

**Description:**

- Pile dead and down material up to 12" DBH.
- Cut conifer regeneration up to 6" DBH, only remove approximately 50% of the regeneration and pile cut material. Piles will be allowed to cure prior to being burned.

## Rational for mechanical treatments:

Mechanical methods provide the safest and most effective method of removing biomass (wood) and reduce wildfire risk in these areas.

I considered dropping hand thinning, piling, work in the roadless area (below unit 3) due to its potential to stall or halt the entire project due to its status as "roadless". The ID team had significant discussion related to the need to implement fuels reduction work in the roadless area due to its

classification. I agree with the ID team that there are very good reasons this area needs the fuels reduction as proposed. The fuels reduction proposed in this area has been designed to be in compliance with the direction the agency has regarding fuels reduction in roadless areas. In my experience this carefully designed fuels reduction work will help minimize the effects of potential future emergency wildfire suppression activity when compared to the no action alternative on the roadless area. The equipment that is often needed to establish a wildfire control or check line in these fuels under a wildfire event, with current fuel loading would have significantly more effect on the roadless area character than the same event with the cumulative effects of both suppression and implementing the proposed action. The amount of observable mechanical intrusion into the roadless area is expected to be much less under a wildfire following treatment than the same event without treatment.

**Implementation BMPS or restrictions for mechanical treatments:**
Specific mitigations can be found in Chapter 2 of the EA, but generally include measures such as:

- Guidelines describing which trees to be cut with regards to characteristics such as; species, spatial arrangement, health or other physical characteristics.
- Considerations for allowing public utilization of downed trees for use as products such as firewood, while incorporating specific site protection measures.
- Site specific protections and guidance on the location piles for burning, distribution of chips when products are masticated or fed into a grinder and timing considerations.

## 2. Prescribed Fire Treatments:

I approve the following by prescribed fire treatments as outlined in Table 2 and further described in the description and methods below

**(Table 2) Prescribed Fire Treatments:**

| Prescribed Fire | Acres |
|---|---|
| Unit 1 | 198 |
| Unit 2 | 293 |
| Unit 3 | 120* |
| Unit 4 | 849 |
| **Total Prescribed Fire Acres** | **1,457** |

***Note: Prescribed fire acres have been reduced in unit 3 per objection resolution agreement.**

**Prescribed Fire Treatment Activities**
All prescribed fire treatments (broadcast and pile burning) are designed to reduce the level of hazardous ground fuels.

- Remove ladder fuels that provide horizontal and vertical continuity that promote crown fire.
- Reduce surface fuel loading to decrease the intensity of surface fires.
- Implement prescribed fire under conditions where a range from low to high fire intensity is produced, burning 40 – 60% of the treatment areas

## Rational for prescribed fire treatments:

Prescribed fire provides the safest and most effective method of removing biomass and reduce wildfire risk in these areas. In addition reintroducing fire into these areas this treatment was supported and encouraged by the Wyoming Game and Fish and the collaborative group as a method to improve and enhance the forage production for wildlife in these areas.

My decision is expected to improve the quality and quantity of the mountain shrub and aspen community as requested and encouraged by our partners at the Wyoming Game and Fish. The State has requested this treatment for the wildlife species that rely on younger and healthier plant communities while ensuring that the late seral and old growth components needed also remain in the watershed.

My final decision to reduce the acres of prescribed fire in the roadless area of unit 3 is in response to my desire to expediently resolve an objection from Native Ecosystem Council pertaining to the size of the treatment in the roadless area. In order to resolve this objection I met with my fuels specialist and we designed a smaller unit using the mechanical treatment as the lower boundary and the first ridge as the upper boundary while ensuring that the original objective of treating fuels, reducing threat to forest and private property while and reducing firefighter exposure are still met to the best of our ability. This smaller unit (from what was analyzed in the EA) is approximately 120 acres instead of the original 327 acres. This proposed change was acceptable to Native Ecosystems Council and resulted in the withdrawal of their objection.

The prescribed fire will impact the permitted livestock grazing on the Mill Creek Teton Cattle Allotment. Parts of the allotment may need to be rested prior to prescribed fire treatments to accumulate fine fuels to carry the fire. Areas treated by prescribed fire will need to be rested for two growing seasons post treatment. Livestock grazing will be allowed to resume on treated areas when specialists conclude that recovery towards desired conditions will not be impeded by livestock grazing. Range managers will work with the Fire Managers to try and schedule implementation in ways that have the least impact on permitted grazing while accomplishing the purpose of the project. I appreciate the permittees willingness to work with the agency on this project.

## Implementation BMPS or restrictions for prescribed fire treatments:

Specific mitigations can be found in Chapter 2 of the EA, but generally include measures such as:

- Site specific burn plans will be prepared which describe the conditions under which burning will take place. These include considerations such as; weather, public health concerns with regards to air quality, communication with public about timing of activities and safety measures required at time of implementation and afterwards.
- Managers will limit the amount of fireline by utilizing natural breaks and vegetation transitions where possible to aid in fire containment. Any control lines built will be rehabilitated following implementation.
- Ignition patterns which minimize burn intensity in drainage bottoms will be utilized. Additionally, techniques which encourage a mosaic burn pattern, retention of adequate woody debris and minimal soil damage results will be emphasized.

- Areas will be inventoried for noxious weeds and treated prior to and following burning. Operational practices to reduce the introduction or spread of weed within the burn area will be utilized.
- Timing of treatments will minimize the adverse impacts to a variety of wildlife species.

## 3. Slashing Treatments Followed by Prescribed Fire:

I approve the following slashing treatments followed by prescribed fire as outlined in Table 3 and further described in the description and methods below. Slashing in this context is hand falling of brush and trees primarily with a chainsaw and either leaving the resulting branches or tree bole lay or scattering them around to create a more consistent fuel to help carry the prescribed fire.

**(Table 3) Slashing Treatments followed by Prescribed Fire:**

| Treatment Name | Treatment Type | Acres |
|---|---|---|
| Teton Canyon Road Corridor - North | Slashing/Firewood/Prescribed Fire | 133 |
| Apostles | Cut conifer – follow-up with prescribed fire | 75 |
| **Total Mechanical Treatment Acres** | | **208** |

**General direction for Slashing Treatments Followed-up with Prescribed Fire:**
**Description:** Aspen regeneration will be stimulated through a combination of mechanical and prescribed fire treatments. These treatments will serve to modify potential fire behavior and enhance the effectiveness of an aspen stand to serve as a natural barrier to the spread of wildfire.

**Method:** Hand thinning (slashing) will occur north and adjacent to the Teton Canyon Road and within the Apostles to broaden the window of the prescribed fire treatment.

**More specific direction for slashing treatments on specific units:**
***Teton Canyon Road Corridor - North - 133 Acres***

**Objective:** Fuels reduction for access and egress of recreationalists and firefighters in the event of a wildfire.

**Description:**

- Break up tree canopy along road corridor and focus on conifer encroached aspen stands.
- Selectively cut conifer trees by hand, up to 16" DBH, within aspen stands.
- Tree boles will be made available to the public for firewood collection.
- Remaining limbs/branches will be left to "red-needle" for one season prior to implementation of the prescribed fire.

*Apostles – 75 Acres*

**Objective:** Fuels reduction and wildlife habitat.

**Description:**

- Selectively cut conifer trees by hand, up to 12" DBH, within aspen stands.
- Material will be left to "red-needle" for one season prior to implementation of the prescribed fire.

### Rational for slashing and prescribed fire treatments:

I tried to find a different word than slashing to describe this vegetation treatment since slashing can involve heavy equipment and ground disturbance. The slashing that I am approving will be done with hand crews cutting brush and trees primarily with a chainsaw and either leaving the resulting branches or tree bole lay or scattering them around to create a more consistent fuel for the prescribed fire to burn. This kind of slashing has very limited ground disturbance and is intended to provide fuel on the ground to expand the prescription window (lower air temperature, higher fuel moisture and relative humidity) that will allow a prescribed fire to carry through an area and meet the objectives of the burn.

Firewood is in high demand and often difficult to locate near open roads on the Teton Basin Ranger District. By allowing firewood harvest in these slashed units near the open system roads we will be removing the larger tree boles which will reduce the intensity of the fire near the roads, reduce some of the smoke from the prescribed fire and provide a service to the local public.

### Implementation BMPS or restrictions for slashing and prescribed fire treatments:

Specific mitigations can be found in Chapter 2 of the EA. General considerations regarding prescribed fire and guidelines for selecting which trees to cut as slash are covered in the preceding sections.

## 4. Group Selection (Spruce Treatment):

My final decision to eliminate the five acres of group selection (spruce Treatment) is in response to my desire to expediently resolve an objection from the Idaho Conservation League pertaining to the proximity of the treatments to the aquatic influence zone (AIZ) or riparian areas. During the appeal resolution, parties discussed the significant need to get some age diversity into the spruce trees in in the analysis area. Since the spruce trees do not grow away from the AIZ in this area we could not devise a different option or treatment that would be viable. This is the same issue the ID team struggled with in their meetings and development of the EA. It is my decision that in order to pragmatically resolve this objection our best option is to drop the five acre group selection treatment and implement the larger more pertinent treatments. I encourage the ID team members to interact with their peers and to see if there is a more palatable option that we could try in the future. This proposed change was acceptable to the Idaho Conservation League and resulted in the withdrawal of their objection.

**Other Alternatives Considered**
In addition to the selected alternative, I considered one other alternative. A discussion of the alternatives can be found in chapter 2 of the EA.

**Alternative 1** - *No Action:*
Under this alternative, none of the specific management activities proposed in this document would occur. Ongoing activities such as grazing, recreation, and fire suppression would continue. Fuels would continue to accumulate and vegetation change (aspen clones successionally converting to conifer stands) would continue to occur. Management activities proposed by other environmental documents may still occur.

## Finding of No Significant Impact

The following is a summary of the project analysis to determine significance, as defined by Forest Service Handbook 1909.15_05. "Significant" as used in NEPA requires consideration of both context and intensity of the expected project effects.

> **Context** means that the significance of an action must be analyzed in several contexts (i.e. local regional, worldwide), and over short and long time frames. For site-specific actions, significance usually depends upon the effects in the local rather than in the world as a whole. This project is limited in scope and duration.
>
> **Intensity** refers to the severity of the expected project impacts and is defined by the 10 points below.

As the responsible official, I am responsible for evaluating the effects of the project relative to the definition of significance established by the CEQ Regulations (40 CFR 1508.13). I have reviewed and considered the environmental assessment and documentation included in the project record, and I have determined that the proposed action will not have a significant effect on the quality of the human environment. As a result, no environmental impact statement will be prepared.

### Context

For the proposed action the context of the environmental effects is based on the environmental analysis in this environmental assessment. Through my review of the environmental assessment, specialist reports, and conversations with staff the effects of the proposed action are localized, with implication for only the immediate area. The cumulative effects analysis of past and future activities along with the current proposal is discussed in the environmental assessment. These effects were considered in my determination. The proposed action is consistent with the direction, standards, and guidelines outlined in the 1997 revised Targhee Forest Plan

**Intensity**

The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public. The agency has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits. My finding of no significant impact is based on the context of the project and intensity of effects using the ten factors identified in 40 CFR 1508.27(b).

*Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on the balance the effects will be beneficial.*

Beneficial and adverse impacts of implementing the proposed action have been fully considered in the environmental assessment. While there will be beneficial effects, this action does not rely on those effects to balance any adverse effects of the project. Detailed analyses, summarized in the environmental assessment and part of the project record contain comprehensive effects analyses, and form the basis of my finding. The adverse effects of the project would be minimized or controlled by the design features, remain localized, and short lived. I find that the proposed action will have neither signficant beneficial or adverse impact because the anticipated effects are similar to past fuel reduction and forest health projects which have not proven to have significant impacts to the human environment.

*The degree to which the proposed action affects public health and safety.*

There are limited health and safety hazards to the general public, adjacent landowners, permittees, and Forest Service employees as a result of project activities. The fuel reduction treatments are designed to increase the efficiency of fire suppression efforts and reduce risks to firefighters, local residents, the public, structures, and natural resources. Project design features, as well as following law, regulation, and policy will protect air and water quality. I find that the project, as proposed, will not likely have a significant impact to public health or safety.

*Unique characteristics of the geographic area such as proximity to historical or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecolovically critical areas.*

The project area does not contain national parks or monuments, prime farmlands, wild and scenic rivers, or ecologically critical areas. Heritage surveys have been completed for the project area and consultation with Wyoming State Historic Preservation Society to occur prior to implementation. All cultural sites and values that could be negatively impacted by the implementation of the project will be avoided. Based upon this information I find that the proposed action will not have significant impacts to unique resources.

*The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

The effects on the quality of the human environment are not likely to be highly controversial. During the comment period there was no information presented that indicates substantial scientific disagreement about the effects of the project. Based upon the limited context of the project, my review of comments received during scoping, and the analysis of the environmental assessment and project record, I do not find any highly controversial effects to the human environment.

*The decree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*
Public scoping, meetings, or other communication with the public or stakeholders did not reveal any highly uncertain, unique, or unknown risks associated with the effects of the project. The Agency has considerable experience with this type of activity and given the limited context of the project, the effects to the human environment are not significant or outside what would be expected with a project of this type. I find that the effects of this project are well established and predictable.

*The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*
This is a sight specific project that does not set precedence for any future actions or present a decision in principle about future considerations. Any proposed future projects must be evaluated on its own merits and effects. I find that the proposed action will not establish any precedent for any future actions.

*Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact of the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.*
Connected, cumulative, and similar actions have been considered and included in the scope of analysis. The analysis accounts for past, present, and reasonably foreseeable future actions of the Forest Service and private landowners in the project area. The analysis of cumulative effects in the environmental assessment follows the National Environmental Policy Act (NEPA) regulations (36 CFR 220.4(f)). Based upon review of the analysis in the environmental assessment and project record I find that the project does not represent a potential cumulative significant impact on the environment.

*The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*
If any cultural resources are encountered during the course of this project, the forest archaeologist will be notified immediately and all project ground-disturbing activities will cease in that area until the forest archaeologist takes appropriate action in consultation with the Wyoming State Historic Preservation Office. State Historic Preservation concurrence will be obtained before implementation to ensure that the proposed action will not have a significant effect on scientific, cultural, or historic properties.

*The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*
A biological assessment has been prepared for threatened and endangered species analyzing the effects of the proposed action on Canada lynx, North American Wolverine and Yellow-billed Cuckoo. Consultation with the United States Fish and Wildlife Service on the selected alternative has been completed and a letter of concurrence was received dated February 20, 2018.

The following determinations were made for these species:

| Species | Status | Determination |
|---|---|---|
| Canada Lynx *(Lynx canadensis)* | ESA Threatened | May Affect, Not Likely to Adversely Affect |
| Yellow-billed Cuckoo *(Coccyzus americanus)* | ESA Threatened | No Effect – No habitat in project area |
| North American Wolverine *(Gulo gulo luscus)* | ESA Proposed Threatened | Not Likely to Jeopardize the Continued Existence of the Species |

This project is occurring within the WUI and has to meet the Northern Rockies Lynx Management Direction (NRLMD). In order to meet Standard VEG S6 this project may only occur on no more than 6 percent, cumulatively, of NRLMD lynx habitat on the Targhee National Forest (TNF). The acres of lynx habitat on the Forest treated within the WUI is below the 6 percent threshold. The total acreage of fuels treatment activities in potential NRLMD lynx habitat in the WUI on the TNF since 2007 is approximately 2,500 acres of the total 63,000 acres permitted under the incidental take statement for the TNF. This project would treat up to approximately 1,161 acres of potential NRLMD lynx habitat. Thus, the total acreage of fuels treatment projects in NRLMD lynx habitat on the TNF within the WUI is approximately 3,661 acres.

A biological assessment for botanical species has been prepared for threatened and endangered species analyzing the effects of the proposed action on Ute ladies'-tresses and whitebark pine. Since no habitat suitable for the species exists within or near the project area, it has been determine that there would be *"no effect"* on Ute ladies'-tresses. A few whitebark pine individuals are found within the project area but none of the treatment areas occur within or near stands of whitebark pine therefore the determination is *"may impact individuals or habitat, but will not likely contribute to a trend toward federal listing or cause a loss of viability to the population or species."*

A biological assessment was has been prepared for analyzing the effects of the proposed action on Yellowstone cutthroat trout. Project implementation will have little impact on the function and health of fisheries habitat and riparian conditions or Aquatic Influence Zones. It has been determined that the project *"may impact"* individuals or habitat but will not likely contribute to a trend towards federal listing or loss of viability to the population or species.

After a full review of the environmental assessment, the project record, and biological assessment, I find that the project will not likely significantly affect any threatened or endangered species or critical habitat.

*Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*
The proposed action was developed to be consistent with all applicable laws or requirements imposed for the protection of the environment. These include the Clean Water Act, Wetlands, and Floodplains Executive Orders (Hydrology Report, project record), the Endangered Species Act (Wildlife Biological Assessment, project record), the National Historic Preservation Act

(project record), the National Environmental Policy Act (EA, page 1-1), and the National Forest Management Act (EA, page 1-10). The environmental assessment analyzed the effects of the project, in part, to determine consistency with law, regulation, and policy. I find that based upon my review of the project that this project will not violate Federal, State, or local laws or requirements for the protection of the environment.

## Conclusion

After considering the environmental effects described in the EA and specialist reports, I have determined that Alternative 2 will not have significant effects on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared.

## Other Laws

**Healthy Forests Restoration Act:** Sixteen months after HFI was launched, Congress passed the Healthy Forests Restoration Act (HFRA) to reduce delays and remove statutory barriers for projects that reduce hazardous fuel and improve forest health and vigor. The HFRA of 2003 (P.L. 108-148) contains a variety of provisions to expedite hazardous-fuel reduction and forest-restoration projects on specific types of Federal land that are at risk of wildland fire or insect and disease epidemics. The act helps rural communities, States, Tribes, and landowners restore healthy forest and rangeland conditions.

Criteria for projects to be authorized under this act include condition class, wildland urban interface, proximity to communities at risk (Federal Register, January 4, 2001, Vol. 66, No. 3, p. 751-777), and collaboration. The Teton Canyon Hazardous Fuels Reduction Project meets the criteria for an authorized project under HFRA. The Teton Canyon Hazardous Fuels Reduction Project is located within an identified wildland-urban interface by Teton County, Wyoming -Community Wildfire Protection Plan, 2014.

**Forest Service Roadless Area Conservation (May 2000):** Approximately 222 acres of treatment occur within the West Slope Tetons Roadless Area; 90 acres of mechanical and 132 acres of prescribed fire treatments. All of the 222 activity acres fall within the Teton County, Wyoming – Community Wildfire Protection Plan (CWPP) wildland urban interface (WUI). I analyzed the effects of project activities to the wilderness qualities and roadless characteristics of the Inventoried Roadless areas, as required by law, utilizing the analysis worksheets and determined that there was no change to roadless values. Actions within the roadless area are authorized as provided in the Federal Register, Part VI, Department of Agriculture, Forest Service 36 CFR 294.13 (1) *The cutting, sale, or removal of generally small diameter timber is needed for one of the following purposes and will maintain or improve one or more of the roadless area characteristics as defined in 294.11.* Regional Forester approval was provided on 4/18/2018 due to the Roadless Rule Exception subpart (ii) *To maintain or restore the characteristics of ecosystem composition and structure, such as to reduce the risk of uncharacteristic wildfire effects, within the range of variability that would be expected to occur under natural disturbance regimes of the current climatic period.* The treatments to occur within the West Slope Tetons Roadless Area fall under this exception

## Administrative Review and Objection Rights

A legal notice was published in the Post Register on May 8, 2018, initiating the predecisional administrative review period (objection period) for the draft Decision Notice. The objection period ended on June 7, 2018.

The Idaho Conservation League and Native Ecosystems Council filed objections within the 30-day objection period. An objection resolution meeting was conducted on June 20, 2018 to discuss concerns raised by Idaho Conservation League and Native Ecosystems Council. Per the resolution meeting, I agreed to remove the five acre Group Selection (Spruce Treatment) from my decision and modify the Unit 3 Prescribed Fire Treatment from 327 acres to 120 acres within Alternative 2.

Based upon these modifications to the project Idaho Conservation League and Native Ecosystems Council both withdrew their objections on June 22, 2018.

## Implementation

Project implementation may begin immediately.

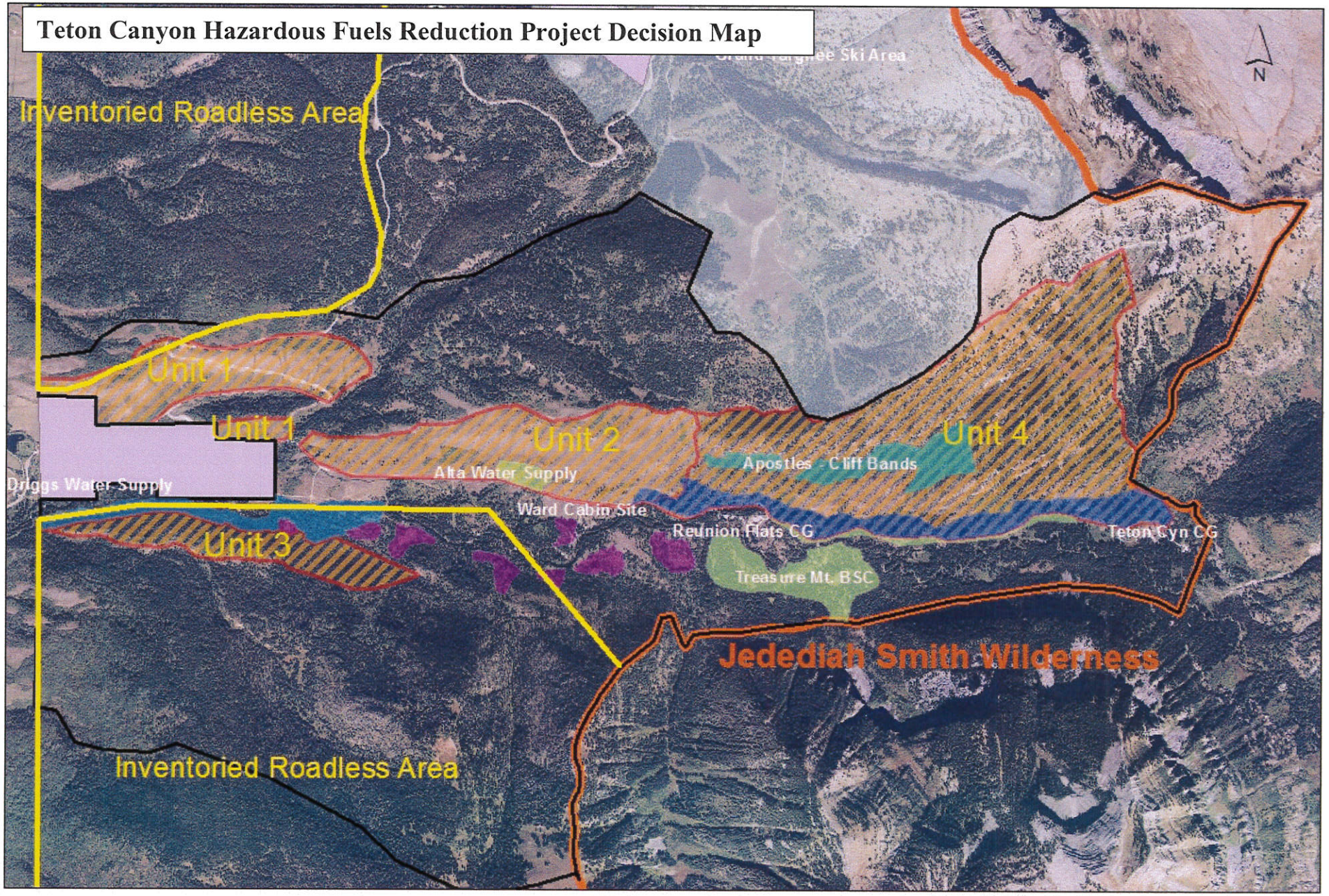
**APPROVED BY:**

June 29, 2018

**JAY PENCE**
**DISTRICT RANGER**
**TETON BASIN RANGER DISTRICT**
**CARIBOU-TARGHEE NATIONAL FOREST**

**DATE**

# Teton Canyon Hazardous Fuels Reduction Project Decision Map




**Caribou-Targhee National Forest**
**Teton Basin Ranger District**
**Teton Canyon Hazardous Fuels**

0 0.4 0.8 Miles

Created By: CTNF Fire Management
6/27/2018

- Prescribed Fire Treatments
- Jedediah Smith Wilderness
- Inventoried Roadless
- Private Property

**Mechanical Slashing Treatment**

- Aspen - Hand Thin/Rx or Hand Pile/Pile Burn
- Hand Thin/Hand Pile/Pile Burn
- Roadless - Hand Thin/Hand Pile/Pile Burn
- Slashing/Firewood/Follow up with Rx
- Slashing/Follow up w/ Rx
- Project Boundary